

COHEN & GREEN

August 14, 2023

Hon. Steven L. Tiscione
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

By Electronic Filing.

Re: Case No. 21-cv-06667, Vergara v. Town of Babylon

Dear Judge Tiscione:

My firm, with co-counsel represents the Plaintiffs in the case named above. We write jointly with Defendants to request a four-month extension of discovery.

Per the Court's rules:

1. The initial deadline was February 21, 2023;
2. There have been two previous extension requests, both of which were granted;
3. Defendants consent (and this request is joint);
4. The reason for the request is explained below; and
5. The proposed revised schedule for remaining deadlines is:
 - a. Close of fact discovery: December 15, 2023;
 - b. Expert reports exchanged: January 15, 2024;
 - c. Expert depositions: February 15, 2024;
 - d. All discovery complete: March 22, 2024;
 - e. Final date to take first step in dispositive motion practice: April 22, 2024.

Discovery was previously extended for personal reasons (*see* Dkt. Nos. 35 and 37; Nov. 21, 2022 Minute Order; Apr. 17, 2023 Minute Order) and the parties have moved the ball forward substantially since then. We have exchanged extensive paper discovery, and Plaintiffs' deposition has gone forward. Plaintiff has noticed several depositions, but scheduling them has not been possible just yet.

Additionally, on Plaintiffs' side of the "v," counsel have had some health issue previously referenced, and for me personally, my father was suddenly diagnosed with late stage cancer, and passed away shortly thereafter — and that has left me out of the office substantially (and at a limited capacity



when I've been in the office; which is also part of why the request is as long as it is; my capacity to work for at least the next month is limited).

We therefore ask that the Court grant an extension of 120 days from the current fact deadline, and adjust all deadlines in the case management plan accordingly (as set out above).

As ever, thank the Court for its time and consideration.

Respectfully submitted,

/s/

J. Remy Green

Honorific/Pronouns: Mx., they/their/them

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cc:

All relevant parties by ECF.